

Welsh Government consultation Call for Evidence – Review of current policy on the Disposal of higher Activity Radioactive Waste.

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Summary and Recommendation:

The Welsh Government is holding a consultation on whether they should review their current policy on the disposal of higher activity radioactive waste. Currently they do not have a policy on the disposal of radioactive waste.

Recommendation: That Members consider the attached draft response and recommend approval to send as a consultation response.

1. Background

- 1.1** The Welsh Government has opened a call for evidence on the review of their current policy on the disposal of radioactive waste. Currently Welsh Government policy is neither to support nor to oppose the UK policy of geological disposal for higher activity waste (HAW).
- 1.2** DECC is restarting its process for a GDF in England therefore it is a good opportunity to review their policy.

2. Impacts on Copeland

- 2.1** The policy in Wales indirectly impacts on Copeland. As Copeland currently hosts 70% of HAW at Sellafield we have a keen interest in the development of a GDF facility.
- 2.2** England adopted a deep geological facility policy after recommendations from the Committee on Radioactive Waste Management (CoRWM) review in 2008. To date this investigation appears to present the most credible means of dealing with the disposal of HAW.
- 2.3** The Scottish Government decided not to follow the advice of CoRWM and have opted for near surface disposal.
- 2.4** As host community to 70% of the waste it is important that we stress the need for all of the UK to have a policy on the safe disposal of HAW.

- 2.5** Furthermore the Isle of Anglesey is one of the 8 sites selected to build a new nuclear power station, therefore it would be irresponsible of Wales to remain undecided on how to manage the future waste arising's.

3. Proposed Way Forward.

- 3.1** The Consultation closes on the 24th June 2014. Appendix 1 is a draft response to the consultation process urging the Welsh government firstly to adopt a policy on the disposal of higher activity radioactive waste and secondly to supporter a deep geological facility.
- 3.2** Councilors are asked to consider the proposed draft response recommend its approval to be issued as part of the consultation process. Full details of the call for evidence are attached at Appendix 2.

Appendix One: Draft Consultation Response.

Appendix Two: Call For evidence – Welsh government Consultation

Radioactivity and Pollution Prevention
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

28th May 2014

Dear Sir / Madame

Copeland Borough Council welcomes the decision by the Welsh Government to review your current position on the policy of the disposal of higher activity waste (HAW).

Copeland Borough Council is a relatively small rural borough Council which has within its boundary the Low Level Waste Repository, the only national facility to store and dispose Low level Radioactive Waste (LLW) and Sellafield which stores 70% of the UK High Level Waste and is one of the most challenging decommissioning projects in Europe. We also volunteered to participate in the process to find a Geological Disposal Facility (GDF) in the Managing Radioactive Waste Safely.

Taking into consideration this information you will understand our interest in insuring that there is robust policy in place to deal with the legacy of nuclear waste currently contained within the UK and to manage any future arising's.

In addition to these current radioactive waste activities Copeland has also been chosen as one of the 8 sites to host a new nuclear power station alongside the Wylfa site on the Isle of Anglesey.

The region of Copeland is currently dealing with the legacy of unplanned and poorly managed nuclear waste as a result of decades of neglect. The lesson learnt from Sellafield is that we must plan for the future to insure that future generations are not left picking up the bill to manage and safely dispose of the nuclear waste we create and the waste that we have inherited.

In order to enable future growth in the nuclear industry we must adequately plan to manage the disposal of higher activity radioactive waste, to fail to do so is irresponsible and unsustainable. Nuclear power plant developers must submit a Funded Decommissioning Plan (FDP) as part of the application process. Planning for the decommissioning and management of the waste streams is as import as planning for the build and operation of a power plant, it is a welcomed change and a good example of positive forward planning.

Nuclear Energy will be a significant contributing factor to securing the UK electricity supply and is recognised as a vital part of the electricity market mix. In order to comprehensively plan for all aspects of the nuclear industry it is imperative that the Welsh Government sets a clear and transparent policy on the management of higher activity radioactive waste.

CoRWM has advised that the safest method of disposal of higher activity waste is through the use of deep storage in a GDF. In reaching this conclusion they undertook a technical assessment of options, ethical

considerations, engaged with stakeholders and reviewed best practise from overseas. The Council believes that that the recommendations put forward by the committee are based on sound scientific fact and reasoning. The committee is an advisory body, members are appointed with a range of expertise and knowledge to offer in scientific, social, economic and environmental and as such the Council has full faith in the robustness of the assessment undertaken and confidence in the recommendations made by CoRWM.

This was an onerous and long process and the Council is unaware of any new information that has challenged their recommendation. If the Welsh Government decided to adopt a policy that is against CoRWM recommendations it would need to be based on a vigorous assessment of all available information and provide a robust argument as to why they have decided to go against the recommendations of the CoRWM committee.

I hope that you will take the above comments into due consideration when determining any future approach to adopting a policy on the disposal of higher activity radioactive waste. We are all jointly responsible for the safe management of nuclear waste to insure the decisions we make today don't leave a negative legacy for our future generations.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'John Groves', with a stylized, cursive script.

John Groves
Head of Nuclear Energy and Planning

Number: **WG21318**



Llywodraeth Cymru
Welsh Government

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Welsh Government

Consultation

Call for Evidence

Review of Current Policy on the Disposal of Higher
Activity Radioactive Waste

Date of issue: **29 April 2014**

Action required: Responses by **24 June 2014**

Overview

The current Welsh Government Policy is to neither support, nor oppose the UK Government policy on geological disposal of higher activity radioactive waste (HAW), nor do we support any other disposal option.

We are launching this call for evidence to seek the views of stakeholders about the current Welsh Government policy and the options it should consider, should we decide to support a policy for the disposal of HAW.

How to respond

Please submit responses by email or post, along with the consultation response form at the end of this call for evidence.

The call for evidence and response forms are available on the Welsh Government's website at www.wales.gov.uk/consultations

Further information and related documents

Large print, Braille and alternate language versions of this document are available on request.

Contact details

For further information:

Radioactivity and Pollution Prevention
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

e-mail: RPPmailbox@wales.gsi.gov.uk

Tel: 029 2082 3235

Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Introduction

1. Current Welsh Government policy is neither to support nor to oppose the United Kingdom Government policy of geological disposal for higher activity radioactive waste (HAW). Nor does the Welsh Government support any other disposal option for HAW. This call for evidence seeks comments about current Welsh Government policy, and the options it should consider if it decides to support a disposal policy for HAW. The background to the current Welsh Government policy and the reasons why a review may be appropriate are set down in this call for evidence.

Background

2. For over half a century, the United Kingdom has accumulated a substantial legacy of HAW, initially from military nuclear programmes and subsequently from the generation of electricity in nuclear power stations, from the associated production and processing of nuclear fuel and from the use of radioactive materials in industry, medicine and research. HAW comprises high level waste (HLW), produced from reprocessing spent fuel; intermediate level waste such as the cladding of fuel rods, parts of reactors, filtration sludges etc; and low level waste (LLW) for which alternative disposal options are not suitable. Some of this waste has already been processed and placed in safe and secure interim storage on nuclear sites. However, much will only become waste over the next century or so as existing facilities reach the end of their lifetime and are decommissioned; and nuclear sites are cleaned-up safely and securely.
3. Additionally, in order to reduce carbon dioxide emissions and to ensure secure electrical generation capacity the UK is implementing a new generation of nuclear power stations. These new nuclear power stations will also create HAW.
4. Some HAW can remain radioactive, and thus potentially harmful, for hundreds of thousands of years. Modern, safe and secure interim storage can contain this material in the short to medium term, but storage requires on-going, human intervention to monitor the material, with the likely need in due course to repackage and further manage the waste to ensure that it does not cause any risk to human health or the environment.
5. To date, the UK has not implemented a final disposal solution for HAW that would obviate the need for future intervention and would ensure that no harmful amounts of radioactivity are released to the environment at any point in the future.
6. In 2003 the UK Government and the devolved administrations (Government) set up the independent Committee on Radioactive Waste Management (CoRWM) to consider options for the management

and disposal of the HAW already existing and expected to arise from existing nuclear power stations in the UK ("legacy waste"). In 2006 CoRWM reported¹ to Government recommending geological disposal for legacy radioactive wastes and community involvement based on the principle of volunteerism and an expressed willingness to participate in potentially hosting a geological disposal facility (GDF). CoRWM also recommended safe and secure interim storage and further research and development. CoRWM confirmed its support for geological disposal in 2013². In 2010 CoRWM commented on the applicability of DECC's proposals for geological disposal of HAW in its response to DECC's consultation on the draft National Policy Statements for Energy Infrastructure and in a statement of its position on new build wastes^{3,4}.

Government response to CoRWM's 2006 recommendations

7. Following a public consultation in 2007⁵ the UK Government and the devolved administrations for Wales and Northern Ireland issued a White Paper in June 2008, *Managing Radioactive Waste Safely: a Framework for Implementing Geological Disposal*⁶. In the White Paper the UK Government announced its support for a policy of geological disposal that was based on a preferred approach of voluntarism and partnership. Geological disposal would be taken forward in parallel with safe and secure interim storage and ongoing research and development.
8. The Department of the Environment in Northern Ireland (DoENI) supported the Managing Radioactive Waste Safely (MRWS) programme.
9. The Scottish Government did not sponsor the 2007 MRWS consultation or the 2008 White Paper and is implementing its own policy of HAW management⁷. Scottish Government Policy is that the long-term management of higher activity radioactive waste should be in near-surface facilities. Facilities should be located as near to the site where the waste is produced as possible. Developers will need to

¹ CoRWM Managing our Radioactive Waste Safely: CoRWM's Recommendations to Government July 2006.

² Statement on Geological Disposal: The Committee on Radioactive Waste Management's (CoRWM's) recommendations on the benefits of geological waste disposal. Published 25 July 2013 <https://www.gov.uk/government/publications/statement-on-geological-disposal>

³ Response from the Committee on Radioactive Waste Management to the Government consultation on the Draft National Policy Statements for Energy Infrastructure (CoRWM document 2748, 2 March 2010).

⁴ CoRWM Statement of its position on new build wastes (CoRWM document 2749, 2 March 2010).

⁵ Defra, DTI and the devolved administrations for Wales and Northern Ireland: Managing radioactive waste safely: a framework for implementing geological disposal. June 2007.

⁶ Defra, BERR and the devolved administrations for Wales and Northern Ireland: Managing radioactive waste safely: a framework for implementing geological disposal. June 2008.

⁷ Scottish Government: Scotland's Higher Activity Radioactive Waste Policy 2011. January 2011.

demonstrate how the facilities will be monitored and how waste packages, or waste, could be retrieved.

Welsh Assembly Government response

10. In the 2008 White Paper the then Welsh Assembly Government reserved its position on geological disposal and neither supported nor opposed the policy while stating its intention to continue to play a full part in the MRWS programme in order to secure the long term safety of radioactive wastes, to ensure the implementation of a framework appropriate to the needs of Wales and to ensure that the interests of Wales are taken into account in the development of policies in this area. The Assembly Government also supported CoRWM's recommendations regarding the safe and secure interim storage of waste, maintaining the security of such storage against terrorist attack, and the need for research and development to support the optimised management and disposal of waste.
11. The Assembly Government also stated that should a community within Wales wish to put forward an Expression of Interest in potentially hosting a geological disposal facility it should do so to the Welsh Assembly Government, and that if this were to happen the Assembly Government would at that point consider its position in respect of the geological disposal programme and the specific Expression of Interest.
12. Currently this remains Welsh Government policy.

Consultation by the UK Department for Energy and Climate Change

13. Following the 2008 White Paper the UK Department for Energy and Climate Change (DECC) has taken forward discussions with three local authorities in west Cumbria, following an expression of interest covering two areas (Copeland and Allerdale). However these discussions ended in January 2013 following a vote in which Cumbria County Council decided not to proceed further with the MRWS site-selection process.
14. The UK Government remains committed to geological disposal as the right policy for the long term, safe and secure, management of higher activity radioactive waste. The UK Government also continues to favour an approach to site selection based on working in partnership with interested communities.
15. Following the closure of the site selection discussions in Cumbria, DECC is considering changes to the site selection process and issued a consultation paper in September 2013⁸. The consultation ended in December 2013.

⁸ DECC, Welsh Government and the Department of the Environment, Northern Ireland: Review of the Siting Process for a Geological Disposal Facility. September 2013.

16. The Welsh Government considered that the consultation discussed issues about which the people of Wales had a right to be informed and upon which they should have an opportunity to comment. It therefore issued the consultation paper in Wales. This was also consistent with ongoing involvement by the Welsh Government in the MRWS programme. Six responses were received from Wales to the consultation.
17. The Department of the Environment, Northern Ireland also issued the consultation.

Reasons supporting a possible review of Welsh Government policy

18. The Welsh Government considers that the following items indicate that a review of its current policy on the disposal of HAW may be appropriate at this time.
 - In 2008, while accepting that decisions on building nuclear power stations were reserved to the UK Government, the Welsh Assembly Government did not support the building of new nuclear power stations in Wales. The Welsh Government now actively supports new nuclear power stations on existing sites including e.g. the proposals for a new Wylfa Newydd power station. It is appropriate in these circumstances to consider reviewing the Welsh Government's position on the disposal of waste that power stations such as Wylfa Newydd will produce.
 - The Spent Fuel and Radioactive Waste (SF&RW) Directive (Directive 2011/70/Euratom), which came into force in 2011 requires Member States to establish and maintain a national policy for the safe and responsible management of radioactive waste, to be implemented through a national programme, and to report on that policy and programme to the Commission by 23 August 2015. Management of radioactive waste includes its eventual disposal and maintaining a reserved position on geological disposal so as not to have a policy on the long term management of HAW generated in Wales may not meet the Directive's requirements.
 - DECC is restarting the siting processes for a GDF in England which gives an opportunity to consider whether a policy review in Wales is appropriate.
 - In July 2013 CoRWM confirmed its support for geological disposal as the best long term management option for HAW. Specifically CoRWM confirmed its Recommendation 1 from its report to Government in 2006 (see paragraph 6 above and footnotes 1 and 2):

"Within the present state of knowledge, CoRWM considers geological disposal to be the best available approach to the long-term management of all the material categorised as waste in CoRWM's inventory when compared with the risks associated with

other methods of management. The aim should be to progress to disposal as soon as practicable, consistent with developing and maintaining public and stakeholder confidence.”

- The current Welsh Government policy was set down in 2008. It is good practice to review policies periodically to ensure that they reflect changed circumstances and continue to be relevant.

Questions

Q1. Should the Welsh Government review its current policy on HAW disposal?

Please give supporting reasons for your answer.

Q2. CoRWM carried out extensive work before recommending geological disposal in its report in 2006, and confirmed that recommendation in 2013. In the light of this, if the Welsh Government reviews its current policy, should it limit its consideration of disposal options for HAW to geological disposal?

Please give supporting reasons for your answer.

Q3. If the Welsh Government should consider disposal options other than geological disposal, what should these be?

Please give supporting reasons for your answer.

Q4. Do you have any other comments on the Welsh Government policy for the disposal of higher activity radioactive waste?

The way forward

19. The Welsh Government will continue to play a active part in the Managing Radioactive Waste Safely programme in order to secure the long term safety of radioactive wastes, to ensure the implementation of a framework appropriate to the needs of Wales and to ensure that the interests of Wales are taken into account in the development of policies in this area. The Welsh Government will consider the responses to this call for evidence together with the points raised in paragraph 18 above. Should the Welsh Government decide to review its current policy on HAW disposal it will do so in an inclusive and transparent way including future public consultation. Following this process should the Welsh Government support a policy in favour of geological disposal it will do so on the firm basis of working in partnership with potential host communities and of securing long term safety for human health and the environment.

Consultation Response Form

Your name:

Organisation (if applicable):

Email / telephone number:

Your address:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: ☐